

## Library of Congress

## § 702.15

(c) In the discharge of official duties, Library officials are authorized to inspect Government-owned or furnished property assigned to readers and the general public for their use, such as cabinets, lockers, and desks. Unauthorized property or contraband found in the possession of members of the Library staff, readers, or the general public as a result of such inspections will be subject to confiscation by Library officials.

[35 FR 19019, Dec. 16, 1970. Redesignated at 38 FR 27049, Sept. 28, 1973 and 52 FR 672, Jan. 8, 1987]

### § 702.11 Protection of property.

(a) Any person who shall steal, wrongfully deface, injure, mutilate, tear, or destroy library materials, or any portion thereof, shall be punished by a fine of not more than \$2,000 or imprisoned not more than 3 years, or both (18 U.S.C. 641; 18 U.S.C. 1361; 18 U.S.C. 2071; and 22 D.C. Code 3106).

(b) Any person who embezzles, steals, purloins, or, without authority, disposes of anything of value of the United States, or willfully injures or commits any depredation against any Government property shall be punished by a fine of not more than \$10,000 or imprisoned not more than 10 years, or both; but if the value of such property does not exceed the sum of \$100, he shall be fined not more than \$1,000 or imprisoned not more than 1 year, or both. (18 U.S.C. 641 and 18 U.S.C. 1361.)

[35 FR 19019, Dec. 16, 1970. Redesignated at 38 FR 27049, Sept. 28, 1973, and amended at 46 FR 48664, Oct. 2, 1981; further redesignated at 52 FR 672, Jan. 8, 1987]

### § 702.12 Smoking in Library buildings.

Smoking in Library buildings is prohibited except in those areas specifically designated for this purpose.

[35 FR 19019, Dec. 16, 1970. Redesignated at 38 FR 27049, Sept. 28, 1973 and 52 FR 672, Jan. 8, 1987]

### § 702.13 Space for meetings and special events.

The use of "meeting places" in the Library shall be limited to official staff functions, or functions sponsored by the Library. The Library's facilities are not available for meetings, per-

formances or special events that: (a) Involve any organization practicing or promoting discrimination based upon race, religion, color, sex, age, marital status, handicap, national origin, or political affiliation; (b) have a partisan political, sectarian, or similar nature or purpose; (c) are sponsored by profit-making organizations that promote commercial enterprises or commodities.

[46 FR 48664, Oct. 2, 1981. Redesignated at 52 FR 672, Jan. 8, 1987]

### § 702.14 Soliciting, vending, debt collection, and distribution of handbills.

(a) The soliciting of alms and contributions, commercial soliciting and vending of all kinds, the display or distribution of commercial advertising, the offering or exposing of any article for sale, or the collecting of private debts on the grounds or within the buildings of the Library is prohibited. This rule does not apply to national or local drive for funds for welfare, health, or other purposes sponsored or approved by The Librarian of Congress, nor does it apply to authorized concessions, vending devices in approved areas, or as specifically allowed by the Associate Librarian for Management.

(b) Distribution of material such as pamphlets, handbills, and flyers is prohibited without prior approval of the Associate Librarian for Management.

(c) Peddlers and solicitors will not be permitted to enter Library buildings unless they have a specific appointment, and they will not be permitted to canvass Library buildings.

[52 FR 673, Jan. 8, 1987]

### § 702.15 Penalties.

(a) Persons violating provisions of 2 U.S.C. 167a to 167e, inclusive, regulations promulgated pursuant to 2 U.S.C. 167f, this Regulation, or other applicable Federal laws relating to the Library's property, including its collections, are subject to removal from the premises, to arrest, and to any additional penalties prescribed by law. In instances of mutilation or theft of Library materials or other Library property, prosecution by appropriate authorities shall be in accordance with

the provisions of the statutes cited in § 702.11.

(b) Upon written notification by the Associate Librarian for Management, disruptive persons may be denied further access to the premises and may be prohibited from further use of the Library's facilities.

(1) Within three workdays of receipt of such notification, an affected individual may make a written request, including the reasons for such a request, to the Associate Librarian for Management for a reconsideration of said notification.

(2) The Associate Librarian for Management shall respond within three workdays of receipt of such request for reconsideration and may, at his or her option, rescind, modify, or reaffirm said notification.

[52 FR 673, Jan. 8, 1987]

## PART 703—AVAILABILITY OF LIBRARY OF CONGRESS RECORDS

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APPENDIX A TO PART 703—FEES AND CHARGES  
FOR SERVICES PROVIDED TO REQUESTORS  
OF RECORDS

AUTHORITY: 2 U.S.C. 136.

SOURCE: 62 FR 50254, Sept. 25, 1997, unless otherwise noted.

### § 703.1 Policy.

(a) Subject to limitations set out in this part, Library of Congress records shall be available as hereinafter provided and shall be furnished as promptly as possible within the Library to any member of the public at appropriate places and times and for an appropriate fee, if any.

(b) The Library shall not provide records from its files that originate in another federal agency or non-federal organization to persons who may not be entitled to obtain the records from the originator. In such instances, the Library shall refer requesters to the

agency or organization that originated the records.

(c) In order to avoid disruption of work in progress, and in the interests of fairness to those who might be adversely affected by the release of information which has not been fully reviewed to assure its accuracy and completeness, it is the policy of the Library not to provide records which are part of on-going reviews or other current projects. In response to such requests, the Library will inform the requester of the estimated completion date of the review or project so that the requester may then ask for the records. At that time, the Library may release the records unless the same are exempt from disclosure as identified in § 703.4.

### § 703.2 Administration responsibilities.

The administration of this part shall be the responsibility of the Chief, Office Systems Services (OSS), Library of Congress, 101 Independence Avenue, S.E., Washington, DC 20540-9440, and to that end, the Chief may promulgate such supplemental rules or guidelines as may be necessary.

### § 703.3 Definitions.

(a) *Records* includes all books, papers, maps, photographs, reports, and other documentary materials, exclusive of materials in the Library's collections, regardless of physical form or characteristics, made or received and under the control of the Library in pursuance of law or in connection with the transaction of public business, and retained, or appropriate for retention, by the Library as evidence of the organization, functions, policies, decisions, procedures, operations, or other activities of the government or because of the informational value of data contained therein. The term refers only to such items in being and under the control of the Library. It does not include the compiling or procuring of a record, nor does the term include objects or articles, such as furniture, paintings, sculpture, three-dimensional models, structures, vehicles, and equipment.

(b) *Identifiable* means a reasonably specific description of a particular record sought, such as the date of the